

SANTA MONICA MOUNTAINS CONSERVANCY

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MINUTES OF THE JOINT MEETING
of the
SANTA MONICA MOUNTAINS CONSERVANCY
and the
SANTA MONICA MOUNTAINS CONSERVANCY
ADVISORY COMMITTEE

June 25, 2001

1. Call to order.

The joint meeting of the Santa Monica Mountains Conservancy and Santa Monica Mountains Conservancy Advisory Committee was called to order by Conservancy Chairperson Michael Berger at 8:03 p.m. on June 25, 2001, at Thousand Oaks - Grant R. Brimhall Library, 1401 E. Janss Road, Thousand Oaks, California, 91362.

The Executive Director administered the oath of office to Mr. Hal Ross, Conservancy member appointed by Governor Gray Davis.

2. Roll Call of Conservancy.

The Conservancy roll was called and the following members were present: Ed Begley, Jr., Arthur Eck, Russell Guiney, Steve Horn, Hal Ross, Steven Treanor, Jonathan Zasloff, and Michael Berger, Chair. The following members were absent: Edward Albert, and Elizabeth Cheadle. Quorum present.

The following Legislative members were present: Mary Sue Maurer, and Laura Plotkin. The following Legislative members were absent: Hon. Gloria Romero, George Magallanes, Susan McEntire, and Scott Svonkin.

3. Roll Call of Advisory Committee.

The Advisory Committee roll was called and the following members were present: Michael Cacciotti, Ed Corridori, Lesley Devine, Mark Johnson, Clare Marter Kenyon, Roseann Mikos, Anthony Portantino, Rick Putnam, Don Robinson, Paul Rockenstein, Bruce Saito, Thomas Seifert, Marc Stirdivant, Kenneth Warner, Timothy Wendler, George Lange, Vice Chair, and Alan Kishbaugh, Chair. The following members arrived subsequent to roll call: Linda Palmer. The following members were absent: Colleen Briner-Schmidt, Dave Brown, Bruce Crow, Thomas Hasse, Terre Hirsch, Nancy Steele, and Nancy Stephens. Quorum present.

Staff present: Joseph T. Edmiston, AICP, Executive Director; Belinda Faustinos, Chief Deputy Director; Laurie Collins, Chief of Legal and Real Estate Division; Rorie Skei, Deputy Director of Natural Resources and Planning; Paul Edelman, Chief of Natural Resources and Planning; Amy Lethbridge, Deputy Executive Officer of Education, Interpretation, Mountains Recreation and Conservation Authority (MRCA); Walt Young, Chief Ranger, MRCA; Katherine Chew, Staff Counsel, MRCA; Reva Concoff, Chief of Special Projects, MRCA; Elsa Luna, Chief of Finance and Administration, MRCA; Kathleen Bullard, Director of Los Angeles River Center, (MRCA); Stephanie Landregan, Staff Landscape Architect, MRCA; Marc Shores, Project Analyst, MRCA; Judy Tamasi, Project Analyst, MRCA; Tony Charness, Habitat Restorationist, MRCA; and Colby Allerton, Board Secretary, SMMC/MRCA.

Representing the Office of Attorney General were Nedra Austin and John Saurenman.

4. Reports

The Conservancy received a verbal report from the Chairperson.

The Conservancy received a verbal report from Ms. Austin.

Questions were propounded by the Chair.

Comments were made by Ms. Collins.

The Conservancy received a verbal report from Mr. Edelman.

The Conservancy received a verbal report from Ms. Lethbridge.

Questions were propounded by the Chair and Ms. Devine.

Comments were made by Ms. Lethbridge.

The Conservancy received a verbal report from Mr. Young.

The Conservancy received a verbal report from the Executive Director.

Comments were made by Mr. Treanor and the Chair.

5. Comments from members of the public on items not on the agenda and public testimony on all agenda items.

The following persons addressed the Conservancy:

Dr. Milton Feinberg, member of the public, on item 9.
Comments were made by the Executive Director and the Chair.
Sue Nelson, representing the Friends of the Santa Monica Mountains, Parks, and Seashore, on item 10.
Vince Daly, representing C.A. Rasmussen Company, on item 12.

6. Consent Calendar:

- (a) Consideration of resolution authorizing amendment of grant to the Mountains Recreation and Conservation Authority for project planning and design services.**
- (b) Consideration of resolution authorizing the Executive Director to comment on Mulholland Design Review Board projects relating to viewshed and ecological issues without board approval.**
- (c) Consideration of a resolution authorizing a comment letter on Notice of Consultation for proposed CDP 01-036, 800 Schueren Road, Las Flores Canyon watershed, unincorporated Los Angeles County.***
- (d) Consideration of a resolution recommending that the Mountains Recreation and Conservation Authority enter into a contract with the California State Coastal Conservancy for non-native plant removal in Lower Topanga Canyon.***
- (e) Consideration of resolution authorizing a comment letter on proposed The Canyons Draft Specific Plan, north of 118 Freeway, west of Erringer Road, City of Simi Valley.**
- (f) Consideration of resolution authorizing a comment letter on Draft Environmental Impact Report No. 316 for proposed Canyon West Tract 5262, City of Thousand Oaks.**
- (g) Consideration of resolution authorizing a comment letter on Draft Mitigated Negative Declaration and Expanded Initial Study for proposed Liberty Center Commercial Office Project Buildings "A" and "B", at Agoura Road and Liberty Canyon Road, City of Agoura Hills.**
- (h) Consideration of resolution recommending that the Mountains Recreation and Conservation Authority (MRCA) amend the Appraisal Policy for Property to be**

Acquired pursuant to the Safe Neighborhood Parks Act of 1996, and to apply such policy to all MRCA acquisitions.

- (i) Consideration of resolution authorizing the assignment of the rights and obligations of the settlement agreement entered into in *Santa Monica Mountains Conservancy v. Westlake (M.J.Brock and Sons, Real Parties in Interest)*.**
- (j) Consideration of resolution amending Resolution No. 00-124 to amend the grant to the Mountains Recreation and Conservation Authority for the acquisition of Red Rock Canyon North Addition. *(This item may be heard in closed session pursuant to Section 11126 Subdivision (c)(7)(A) of the Government Code.)***
- (k) Consideration of resolution authorizing comment letter on the recirculated portion of the Draft Environmental Impact Report, Maranatha High School project, State Clearinghouse No. 99091038, City of Sierra Madre.**

The Chair noted that item 6(d) had been removed from the agenda and that 6(e) and 6(g) would be removed from the consent calendar to be considered as regular items.

CONSERVANCY CONSIDERATION:

On motion of Mr. Begley, duly seconded, the Conservancy adopted Resolution Nos. 01-105, 01-106, 01-107, 01-110, 01-112, 01-113, 01-114, and 01-115.

(The full text of these resolutions is attached.)

- 6(e). Consideration of resolution authorizing a comment letter on proposed The Canyons Draft Specific Plan, north of 118 Freeway, west of Erringer Road, City of Simi Valley.**

Comments were made by the Executive Director.

Mr. Edelman presented the staff report for this item.

Comments were made by Ms. Mikos, recommending amending the letter.

Comments were made by Mr. Daniel and Mr. Edelman.

ADVISORY COMMITTEE CONSIDERATION:

On motion of Mr. Lange, duly seconded, the Advisory Committee recommended adoption of Resolution No. 01-109.

CONSERVANCY CONSIDERATION:

On motion of Ms. Cheadle, duly seconded, the Conservancy adopted Resolution No. 01-109 as amended.

(The full text of this resolution is attached.)

6(g). Consideration of resolution authorizing a comment letter on Draft Mitigated Negative Declaration and Expanded Initial Study for proposed Liberty Center Commercial Office Project Buildings "A" and "B", at Agoura Road and Liberty Canyon Road, City of Agoura Hills.

Mr. Edelman presented the staff report for this item.

Questions were propounded by the Executive Director.

Comments were made by Mr. Edelman and the Executive Director.

On motion of Mr. Daniel, duly seconded, this item was postponed.

7. Special presentation on Eco Heroes program.

David Blum of Eco Heroes made a Power Point slide presentation of his program.

Questions were propounded by Ms. Devine.

Comments were made by Mr. Blum, Mr. Treanor, Mr. Eck, and Mr. Begley.

8. Presentation of Mountains Recreation and Conservation Authority In Lieu Fee Program progress report.

Mr. Edelman introduced Tony Charness, MRCA employee for the land restoration program.

Mr. Charness presented a verbal report for this item.

Questions were propounded by Ms. Devine.

Comments were made by Mr. Charness.

9. Possible motion to reconsider adoption of Resolution No. 01-69, Rim of the Valley Corridor boundary determination pursuant to Public Resources Code Section 33204.4.

The Executive Director presented a verbal staff report for this item.

Questions were propounded to staff by the Chair, Mr. Putnam, Mr. Treanor, and Mr. Begley.

Comments were made by Mr. Zasloff, the Executive Director, Mr. Treanor, Mr. Cacciotti, Mr. Daniel, and Mr. Portantino.

On motion of Mr. Daniel to reconsider adoption of Resolution No. 01-69, duly seconded, the

Conservancy placed the item on the agenda.

ADVISORY COMMITTEE CONSIDERATION:

On motion of Mr. Putnam, duly seconded, the Advisory Committee recommended adoption of Resolution No. 01-116.

CONSERVANCY CONSIDERATION:

On motion of Mr. Zasloff, duly seconded, the Conservancy adopted Resolution No. 01-116. Mr. Guiney and Mr. Treanor were recorded as abstaining.

(The full text of this resolution is attached.)

10. Consideration of resolution supporting implementation of Mulholland "Core Trail."

The Executive Director commented that this item was postponed.

Comments were made by Mr. Daniel, the Executive Director, and Mr. Kishbaugh.

(The full text of this resolution is attached.)

11. Consideration of resolution adopting Park Development and Improvement Projects workprogram.

Ms. Skei presented the staff report for this item.

Questions were propounded by Mr. Kishbaugh and Mr. Stirdivant.

Comments were made by Ms. Skei and Ms. Devine.

[Before the vote on this item Mr. Begley left the meeting and did not return.]

ADVISORY COMMITTEE CONSIDERATION:

On motion of Mr. Wendler, duly seconded, the Advisory Committee recommended adoption of Resolution No. 01-118.

CONSERVANCY CONSIDERATION:

On motion of Mr. Eck, duly seconded, the Conservancy adopted Resolution No. 01-118.

(The full text of this resolution is attached.)

12. Consideration of resolution accepting offer of donation of approximately 150 acres in Agoura Hills from C. A. Rasmussen Company pursuant to the Natural Heritage Preservation Tax Credit Act of 2000.

The Executive Director presented the staff report on this item.

Questions were propounded by the Chair, Ms. Maurer, the Executive Director, Mr. Corridori, and Ms. Palmer.

Comments were made by the Mr. Corridori, Mr. Daly, Ms. Maurer, Mr. Putnam, Ms. Skei, Ms. Mikos, Ms. Palmer, Mr. Daniel, and Mr. Zasloff.

ADVISORY COMMITTEE CONSIDERATION:

On motion of Ms. Palmer, duly seconded, the Advisory Committee recommended adoption of Resolution No. 01-119.

CONSERVANCY CONSIDERATION:

On motion of Mr. Zasloff to include an amendment, duly seconded, the Conservancy adopted Resolution No. 01-119 as amended.

(The full text of this resolution is attached.)

- 13. Consideration of resolution authorizing the acceptance of a grant or recommending that the Mountains Recreation and Conservation Authority accept a grant from the California Coastal Conservancy to acquire APNs 4465-004-047, 060, 061 in the Ramirez-Escondido Canyons Upper Project Plan area.**

Comments were made by Mr. Edelman.

The Executive Director recommended postponing this item until after item 21.

- 14. Consideration of resolution authorizing a grant to the Mountains Recreation and Conservation Authority to acquire APN 2069-016-052 in the Mulwood-Dry Creek Canyon Project Plan area, City of Calabasas.**

Mr. Edelman presented the staff report for this item.

Questions were propounded by Mr. Putnam.

Comments were made by the Executive Director.

ADVISORY COMMITTEE CONSIDERATION:

On motion of Mr. Seifert, duly seconded, the Advisory Committee recommended adoption of Resolution No. 01-121.

CONSERVANCY CONSIDERATION:

On motion of Mr. Guiney, duly seconded, the Conservancy adopted Resolution No. 01-121.

(The full text of this resolution is attached.)

- 15. Consideration of resolution to exercise first right of refusal on Deerlake Highland tax**

delinquent lots, APNs 2816-007-031, 068, 022, and 015, 2816-012-005, 2816-023-005, 2816-011-017, 2816-015-006, 2819-012-007, 2819-019-005, and 2819-007-004 and 014, assigning the Mountains Recreation and Conservation Authority (MRCA) to acquire the properties, entering into an agreement with the MRCA and the Presidio Chatsworth Partners, LLC., and recommending that the MRCA sell the subject properties to the Presidio Chatsworth Partners, LLC.

The Executive Director presented the staff report for this item.

ADVISORY COMMITTEE CONSIDERATION:

On motion of Mr. Warner, duly seconded, the Advisory Committee recommended adoption of Resolution No. 01-122.

CONSERVANCY CONSIDERATION:

On motion of Mr. Daniel, duly seconded, the Conservancy adopted Resolution No. 01-122.

(The full text of this resolution is attached.)

- 16. Consideration of resolution making certifications required by the Federal Transportation Equity Act for the 21st Century (TEA-21), Statewide Transportation Enhancements (STE) program for Confluence Park, the Santa Monica Mountains Coastal Welcome Center, the Sepulveda Pass Santa Monica Mountains Welcome Center, and the Ramirez Canyon Viewshed Acquisition projects if funded.**

The Executive Director recommended postponing this item until later in the meeting.

- 17. Consideration of resolution authorizing a joint powers agreement between the Santa Monica Mountains Conservancy and California Coastal Conservancy for acceptance of a grant for project(s) along the Arroyo Seco.**

Ms. Faustinos presented the staff report for this item.

Questions were propounded by Mr. Cacciotti and Mr. Seifert.

Comments were made by Ms. Faustinos and Mr. Horn.

ADVISORY COMMITTEE CONSIDERATION:

On motion of Mr. Seifert, duly seconded, the Advisory Committee recommended adoption of Resolution No. 01-124.

CONSERVANCY CONSIDERATION:

On motion of Mr. Treanor, duly seconded, the Conservancy adopted Resolution No. 01-124.

(The full text of this resolution is attached.)

- 18. Consideration of resolution recommending that the Mountains Recreation and**

Conservation Authority conduct a feasibility study of the establishment of a Santa Monica Mountains-wide Benefit Assessment District and to investigate other potential long-term Environmental Enhancement and Mitigation Program funding sources to be used for acquisition and stewardship of habitat for rare and endangered species.

The Executive Director presented the staff report on this item.

Questions were propounded by Mr. Saito, Ms. Mikos, and Mr. Zasloff.

Comments were made by the Executive Director, Ms. Skei, and Ms. Mikos.

ADVISORY COMMITTEE CONSIDERATION:

On motion of Mr. Seifert, duly seconded, the Advisory Committee recommended adoption of Resolution No. 01-125.

CONSERVANCY CONSIDERATION:

On motion of Mr. Daniel, duly seconded, the Conservancy adopted Resolution No. 01-125.

(The full text of this resolution is attached.)

- 19. Consideration of resolution recommending that the Mountains Recreation and Conservation Authority authorize a grant to Mountains Restoration Trust for the acquisition of APNs 5570-020-006, 5570-021-010 and 5570-021-011, Briar Summit.**

The Executive Director presented the staff report for this item.

Questions were propounded by Mr. Lange.

Comments were made by Ms. Collins.

ADVISORY COMMITTEE CONSIDERATION:

On motion of Mr. Lange, duly seconded, the Advisory Committee recommended adoption of Resolution No. 01-126.

CONSERVANCY CONSIDERATION:

On motion of Mr. Daniel, duly seconded, the Conservancy adopted Resolution No. 01-126.

(The full text of this resolution is attached.)

- 20. Consideration of resolution recommending that the Mountains Recreation and Conservation Authority authorize a grant to Mountains Restoration Trust to create a Benefit Assessment District to acquire/or maintain property in the eastern Santa Monica Mountains.**

This item was removed from the agenda.

21. Consideration of resolution authorizing augmentation of a grant to the Mountains Recreation and Conservation Authority to acquire APNs 4465-004-047, 060, 061 in the Ramirez-Escondido Canyons Upper project area.

Mr. Edelman presented the staff report for this item.

Questions were propounded by Mr. Daniel.

Comments were made by Mr. Horn.

ADVISORY COMMITTEE CONSIDERATION:

On motion of Ms. Palmer, duly seconded, the Advisory Committee recommended adoption of Resolution No. 01-128.

CONSERVANCY CONSIDERATION:

On motion of Mr. Eck, duly seconded, the Conservancy adopted Resolution No. 01-128.

(The full text of this resolution is attached.)

13. Consideration of resolution authorizing the acceptance of a grant or recommending that the Mountains Recreation and Conservation Authority accept a grant from the California Coastal Conservancy to acquire APNs 4465-004-047, 060, 061 in the Ramirez-Escondido Canyons Upper Project Plan area.

Mr. Edelman presented the staff report for this item.

ADVISORY COMMITTEE CONSIDERATION:

On motion of Mr. Wendler, duly seconded, the Advisory Committee recommended adoption of Resolution No. 01-120.

CONSERVANCY CONSIDERATION:

On motion of Mr. Eck, duly seconded, the Conservancy adopted Resolution No. 01-120.

(The full text of this resolution is attached.)

16. Consideration of resolution making certifications required by the Federal Transportation Equity Act for the 21st Century (TEA-21), Statewide Transportation Enhancements (STE) program for Confluence Park, the Santa Monica Mountains Coastal Welcome Center, the Sepulveda Pass Santa Monica Mountains Welcome Center, and the Ramirez Canyon Viewshed Acquisition projects if funded.

The Executive Director presented the staff report for this item, recommending that it be separated into two votes, one including all the projects except the Santa Monica Mountains Coastal (Lower Topanga) Welcome Center, and the other only for the Santa Monica Mountains Coastal (Lower Topanga) Welcome Center.

Questions were propounded by Ms. Palmer, Ms. Maurer, and Mr. Daniel.

Comments were made by the Executive Director, Mr. Edelman, Mr. Treanor, and Mr. Daniel.

ADVISORY COMMITTEE CONSIDERATION:

On motion of Mr. Seifert to amend item 16 by removing the Santa Monica Mountains Coastal (Lower Topanga) Welcome Center, duly seconded, the Advisory Committee recommended adoption of Resolution No. 01-123 as amended.

CONSERVANCY CONSIDERATION:

On motion of Mr. Daniel, duly seconded, the Conservancy adopted Resolution No. 01-123 as amended.

(The full text of this resolution is attached.)

ADVISORY COMMITTEE CONSIDERATION:

On motion of Ms. Palmer to recommend adoption of the Santa Monica Mountains Coastal (Lower Topanga) Welcome Center portion of item 16 (to be called "item 16[a]"), duly seconded, the Advisory Committee recommended adoption of Resolution No. 01-123(a).

CONSERVANCY CONSIDERATION:

On motion of Mr. Eck, duly seconded, the Conservancy adopted Resolution No. 01-123(a). Mr. Treanor and Mr. Guiney were recorded as voting no.

(The full text of this resolution is attached.)

22. Consideration of resolution adopting FY 2001-02 preliminary budget of the Mountains Recreation and Conservation Authority and authorization of grants necessary to implement such budget.

The Executive Director presented the staff report for this item, including several amendments to the report.

ADVISORY COMMITTEE CONSIDERATION:

On motion of Mr. Portantino to include amendments, duly seconded, the Advisory Committee recommended adoption of Resolution No. 01-129 as amended.

CONSERVANCY CONSIDERATION:

On motion of Mr. Treanor, duly seconded, the Conservancy adopted Resolution No. 01-129, as amended.

(The full text of this resolution is attached.)

23. Legislation

No legislation was discussed.

24. Minutes

The open session minutes of September 28, 2000 were submitted for approval.

The open session minutes of September 28, 2000. Mr. Zasloff and Mr. Ross were recorded as abstaining.

The open session minutes of May 25, 2000 were submitted for approval.

The open session minutes of May 25, 2000. Mr. Zasloff and Mr. Ross were recorded as abstaining.

The open session minutes of June 28, 2000 were submitted for approval.

The open session minutes of June 28, 2000. Mr. Zasloff, Mr. Ross, and Mr. Eck were recorded as abstaining.

The closed session minutes of September 28, 2000 were submitted for approval.

The closed session minutes of September 28, 2000. Mr. Zasloff and Mr. Ross were recorded as abstaining.

The closed session minutes of May 25, 2000 were submitted for approval.

The closed session minutes of May 25, 2000. Mr. Zasloff and Mr. Ross were recorded as abstaining.

The closed session minutes of June 28, 2000 were submitted for approval.

The closed session minutes of June 28, 2000. Mr. Zasloff, Mr. Ross, and Mr. Eck were recorded as abstaining.

- 25. Closed Session: (The Conservancy may hold a closed session on the following items pursuant to Section 11126 Subdivision (c)(7)(A), Section 11126.3(a), and Section 11126 Subdivision (e) of the Government Code. Confidential memoranda related to the following items may be considered during such closed session discussions.) Discussion and possible action regarding pending and/or potential litigation: *Village Properties v. Santa Monica Mountains Conservancy et al.*; *Save Open Space v. Santa Monica Mountains Conservancy and Mountains Recreation and Conservation Authority*; *Save Open Space v. Santa Monica Mountains Conservancy and Mountains Recreation and Conservation Authority (Real Parties in Interest)*; *Tucker v. Santa Monica Mountains Conservancy et al.*;**

Tucker v. Mountains Recreation and Conservation Authority et al.; City of Malibu v. Santa Monica Mountains Conservancy; City of Malibu v. California Coastal Commission, Santa Monica Mountains Conservancy et al.; Ramirez Canyon Preservation Fund v. California Coastal Commission, Santa Monica Mountains Conservancy et al.; Mirharooni v. Santa Monica Mountains Conservancy et al.; Malibu-Encinal Home Owners Association, Inc. v. Lechuza Villas West, LLP, Santa Monica Mountains Conservancy, State Coastal Conservancy et al.; Los Amigos de Caballero Canyon v. Santa Monica Mountains Conservancy et al.; Nervik v. State of California; Mountains Recreation and Conservation Authority v. Soka University of America; Sierra Club et al. v. County of Los Angeles; State of California, ex. rel. Andrea Tuttle, Director of Department of Forestry and Fire Protection v. Southern California Edison Company.

No closed session was called.

26. Members comments on matters not on the Agenda.

Mr. Treanor made comments regarding the receipt of late materials in e-mail format.

Comments were made by the Chair and the Executive Director.

Mr. Eck made comments regarding the passage in Congress of expansion for the Santa Monica Mountains National Recreation Area.

Comments were made by Ms. Palmer regarding markers for the Juan Bautista de Anza National Historic Trail.

Comments were made by Mr. Cacciotti regarding a July hearing for a potential skateboard park in the South Pasadena area.

Comments were made by the Executive Director regarding Mr. Allerton's departure from the Board Secretary position to the Natural Resources and Planning department.

27. Announcement of future meetings and adjournment.

The Chair announced that the next meeting would be held on July 23, 2001.

There being no further business, the meeting was adjourned at 11:43 p.m.

Respectfully submitted:

Approved:

JOSEPH T. EDMISTON, AICP
Executive Director

MICHAEL BERGER
Chairperson